

**Ellen W. Cosby**  
Chapter 13 Trustee  
(410) 825-5923

*Address for Correspondence*

300 E Joppa Road, #409  
Towson, MD 21286

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2015 NOV 25 PM 1:16  
*Address for Plan Payments*

CLERK'S OFFICE  
P.O. Box 1838  
Memphis, TN 38101-1838

BY REPUTY

November 25, 2015

The Honorable Judge Hollander  
101 W. Lombard Street  
Baltimore, Maryland, 21201

**VIA EMAIL**

Re: *Jeffrey Howes v. Wells Fargo Bank, N.A., et al.*  
Civil No.: ELF-15-1617; Related Civil No.: ELH -14-2814  
Chapter 13 Bankruptcy Case No. 12-30614

Dear Judge Hollander:

Pursuant to our telephone conference of November 23, 2015, the Chapter 13 Trustee's position on Mr. Howe's appeal of the two (2) orders issued by Judge Gordon in the underlying bankruptcy case is that the appeal is moot. The Trustee agrees with the rationale expressed by Your Honor during the telephone conference. The consent order staying the bankruptcy case was limited by its own terms to the resolution of the District Court appeal. The appeal was resolved by the entry of a final order on September 30, 2015. The Trustee specifically intended that the stay, and the substitute for the posting of a bond, only continue to the end of the District Court appeal. Should the Debtor wish the stay to continue, the Trustee firmly believes that the Debtor should post some supersedeas bond in an amount to be determined by the appropriate court.

The Trustee further agrees with Your Honor that Mr. Howes is not appealing the substance of the order, but is rather appealing because he is unhappy with the dicta contained in the order. Ultimately, the order granted the Debtor the relief sought, albeit imposing strict potential penalties in the event of a default. Those default provisions are immaterial at this point because Mr. Howes never defaulted. As a result, for the reasons stated herein, the Trustee believes the appeal should be dismissed as moot.

Very truly yours,

/s/

Ellen W. Cosby

cc: Robert Haeger, Esquire (VIA EMAIL)